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SENATE.

Tuesday, Dec. 8, 1868.

By Mr. Osborne: A bill to incorporate the Hebrew Benevolent Association, in the city of Charlotte. Referred to the Committee on Corporations.

By Mr. Shoffner: A bill in relation to employing Attorneys in civil and crimina. actions. Referred to the Judiciary. By Mr. Forkner: A bill to repeal an ordinance to amend an ordinance to in-

corporate the Northwestern North Carolina Railroad Company. Referred to the Committee on Internal Improvements. By Mr. Osborne: A bill to consolidate the Charlotte and South Carolina and the

Columbia and Augusta Railroad Compa-

nies. Referred to the Committee on Inter-

CALENDAR.

Bill to consolidate the Atlantic and North Carolina and the North Carolina Railroad Companies passed its second

Railroad Company passed its second read-Bill te amend the Charter of the Wil liamston and Tarboro' Railroad Company

Bill to amend the Charter of the Western

passed its second reading. Bill to divide and separate the Eastern and Western divisions of the North Carolina Railroad. Passed second reading. Bill to re-enact and confirm certain acts in reference to the issue of State bonds to

certain Railroad Companies. Passed second Bill authorizing the sale of the State's interest in Railroad, Turnpike and Navigation Companies 73as rejected on its second

reading by the following vote-31 nays to Bill to amend the Charter of the Oxford

Branch of the Raleigh and Gaston Railroad Company was amended, and passed its second reading. Mr. Cook, from the Committee on

Enrolled Bills, presented sundry resolutions which were properly enrolled, and the President signified his intention to Among the number was the resolution

in relation to bribery and black-mail. Mr. Hays arose to a question of privilege and said: Mr. President: I arise to submit it to you whether you should sign the resolutions in relation to bribery and corruption, because the question has already been raised, and there seems to be a doubt in the minds of some. The Constitution makes it your duty to sign all bills and resolutions of a legislative nature, passed in accordance with its provisions. No Senator dare question your right to sign a bill which has passed its third readings, in accordance with the Constitution; but the resolutions in question passed this branch of the General Assembly with one reading only The question naturally arises whether, within the meaning of the Constitution it is a resolution of a legislative nature. If it is, I submit that the action of the Senate has been informal, and that you, knowing it to be so, ought not to sign the resolution. I say this as one sworn to support that instrument. I could not say less. I would not say more. Sec. 25, art. 2, of the

Constitution reads as follows:

"All bills and resolutions of a legislative nature shall be read three times in each House, before they pass into laws." The words "prepare bills to be passed into laws," in section 24, same article, are fully explained in section 25, upon this point, where the Constitution requires bills to be read three times in each House before they pass, and also resolutions of a legislative nature. Is this a resolution of a legislative nature? Certainly the Legislature in passing this resolution has exercised one of the highest powers entrusted to its care - power possessed by no other department of the government and one Therefore, fraught with good or evil. I refer to the power vested in the Legislature, under the Constitution, to define crimes and their degree of punishment. This stamps the deavors to have the said tax reduced to ten cents the rules were suspended and the resoluresolution as being of a legislative nature, on the pound. and brings us back to the argument, whether, under the constitution, you should sign the resolution. Besides, sir, it is gress. contended that any person in North Carolina can be summoned before this committee. I know of no other committee of this Legislature to which the same powers have been granted. A resolution so nearly affecting every man in North Carolina, dealing not alone with filthy lucre, but with the priceless gem of character, was certainly entitled to the maturest consideration of the grave Senators of North Carolina before it was passed into a law. Ordinary decency would have dictated this course, but rashness and impetuosity are frequent- which was ordered to be printed and rely blind to means, to their haste to secure | ferred to the Judiciary committee, with | the object; and, sir, it is well for us to instructions to report day after to-mor- road, at will.) pause now, ere we launch these resolutions row. upon the public seas, and inquire whether plated by the Constitution, and whether cases of arrests. Referred. you, knowing the omissions, are bound to sign these resolutions.

stand here, to-day, willing to abide by your

decision, or that of this honorable Senate. Pending such decision, I will submit the County Commissioners of Anson was taken further question to you, whether the reso- up. lutions, having passed the Senate, in violation of the express provisions of the Constitution, having been transmitted to the House, having passed that body in accordance with the Constitution, and signed by the Speaker thereof, they have passed beyond the control of the Senate; and if you decide that you cannot sign them because they are unconstitutional, de facto, they are dead. Sir, this is no factious opposition. I claim to be possessed of as high moral sentiments and character as any Senator on this floor. I know that what I say may renew and prolong a discussion already painful to the public mind, but the lawabiding people of North Carolina, when the moment of excitement is over, will not excuse me, or any of us, if, in this seeming attempt to vindicate their rights, we violate our own oaths. Let the paths of truth and justice-the broad ways of liberty and law laid down in the Constitution of this State, and approved by 20,000 majority of her people-be ever preserved with unfaltering step and unflinching courage, and though, in so doing, we may meet with scoffers and revilers, or with Thersites clamoring in the camp, yet, in the end,

Mr. Sweet arose to reply A. H. Galloway, colored, objected. On motion of Mr. Shoffner, Mr. Sweet

our richest reward.

the applause of a satisfied people will be

was allowed to proceed-A. H. Galloway, colored, alone, voting in the negative. Mr. Hayes said he would like to ask the President, before the Senator began his remarks, if he would sign the resolutions, without submitting them again to the vote

of the Senate. The President declined to answer the question.

Mr. Sweet arose and said : Mr. Presilent, although I have survived nearly one half the allotted years of man, yet there never was a time in my life when the exercise of the Christian virtue of forbearance demanded so much effort from me as within the last few days. The strange spectaeasion, of one Senator, as youthful and inexperienced as myself, reading to our presiding officer a carefully prepared interpreation of his duties, and doing so, too, with all the gravity of a Roman Senator I cannot withhold an expression of my admiration of our presiding officer for declining to reply to the Senator from Robe son, as to whether he intended to ratify

The President of this body is sworn to lischarge his duty as he understands it, and not as the Senator from Robeson un- unanimously.

If ever, in a moment of forgetfulness or imprudence, I should presume to trespass apon the right of the President to interpret for himself his duty, I trust he will administer to me the rebuke as I would well de-

Now as to the merit of the objection made by the Senator to the ratification of these resolutions. There is only one way in which any expression of opinion by a Legislative body-whether it be by resolution or by a formal act-can be authenticated, and that is by the signature of the presiding officers of the two Houses. The provision in our Constitution requiring all bills and resolutions of a legislative nature to be read three times in each House, before they pass into laws, and that they shall be signed by the presiding officers of both Houses, is surplusage, so far as relates to the signatures of the presiding officers, for such signatures are required by the law of common sense. If these resolutions are of a legislative nature it is because they seek to enlarge the legal definition of perjury, and if such enlargement is defeated by the failure to read these resolutions three times in the Senate, any one can avail himself of this defect in a trial upon an indictment for perjury under these resolutions. These resolutions so far as they authorize an investigation, confer just as ample power upon the committee as if they had passed three readings.

I submit, Mr. President, my sincere belief that the purpose of this last demonstration of antagonism to these resolutions is the same as the preceding manifestations of hostility, to wit: procrastination. It may be possible to defeat me here, but, if you do so, there is another forum to which I shall go and another jury to whom the evidence shall be submitted, and that jury is composed of all who live within the broad limits of North Carolina. Gentlemen oppose these resolutions on the ground of unconstitutionality; they say the Constitution requires that they should have been read three times in the Senate. I will make this proposition to them: If they will promise that if these resolutions are to be read the second and third times in the Senate, they will vote for them and offer no opposition to their passage, I will consent to their being read again; but it matters not whether they are read or not, the investigation will go onthe probe shall go down into the depths of the wounds, and they shall be shown up to honest men everywhere in all their de-

the question. The resolutions had passed the House and had been signed by the Speaker of that body, and he signified his intention to ratify them; which he did. On motion, the Senate adjourned until to-morrow at 11 o'clock.

HOUSE OF REPRESENTATIVES. Tuesday, Dec. 8, 1868.

Mr. Hodnett offered the following : WHEREAS, The high tax of thirty-two cents per pound on tobacco operates to the serious injury of a large number of the people of this rtate :

of North Carolina, That our Senators and Re-presentatives, in the Congress of the United States, be respectfully requested to use their en Resolve 4 further, That the Speaker of this House transmit a copy of these resolutions to each of our Senators and Representatives in Con-

Mr. Hodnett moved to suspend the rules, in order to adopt at once. Carried. The resolution was adopted.

SPECIAL ORDER, VIZ : The bill to incorporate the North Caro lina Dental Association, [introduced by Mr. French, of New Hanover. | Tabled.

BILLS. &C.

By J. H. Harris, of Wake, colored : A bill for the better protection of debtors ;

By Mr. W.lkie: A bill to extend the auour action has been such as that contem- thority of Sheriffs and other officers, in

Charter of the Richmond Manufacturing one road injured another. He should vote The motion to reconsider was then put scribed. Men take the contracts; where is his mouth, to cry out about "party and Sir, whether they are signed or not, I Company. Referred.

CALENDAR Mr. Ingram's resolution in favor of the

consent, the resolution.

SENATE.

WEDNESDAY, Dec. 9, 1868.

Mr. Osborne, from the committee on the Judiciary, to whom was referred a bill to prohibit persons from hunting on the Sabbath, reported favorably. By the same: A bill concerning Magis-

REPORTS OF COMMITTEES.

trate's Courts; unfavorably. By the same: A bill to incorporate the Silver Hill Railroad Company, in the couny of Davidson; favorably.

ask for any appropriation, he hoped it would pass without discussion, and moved a suspension of the rules in order to put it on its several readings. Mr. Love said he did not like such hasty legislation. There might be powers granted in this bill which might be objectionable,

consider it thoroughly, he moved that it Mr. Robbins said that he, like the Senator from Jackson, was opposed to hasty legislation when there was anything involved affecting the interest of the State; but this was a very simple question. This bill only asks for the right of way for ten miles, without asking any appropriation. They intend to build this road themselves. and ne could not see the necessity for de-

Mr. Osborne said it was really so refreshing to have an application to build a railroad, without asking an appropriation from the State, that he thought this bill ought to pass readily, and he hoped there would be no further objection to it. If an road at their own expense, it should pass | weighing of rosin.

and when people came forward and desired in his action in the matter. to spend their own money to construct a road, he thought they should be encouraged. And, in the language of the Senator from Mecklenburg, it is so refreshing to hear of such propositions that it should intention to vote for the bill.

Mr. Love withdrew his motion to print, and the bill passed its several readings

SPECIAL ORDER, VIZ: Report of the committee in reference to

the eligibility of the Senator from the 14th adopted without debate. District (Mr. Purdie) to his seat. Mr. Cook moved to postpone its further

tion to postpone by striking out "21st," On motion of Mr. Hodgin, the rules Mr. Sweet said that it appeared at a and inserting "17th," which was ac- were suspended and the resolution was glance that this bill increased the indebt-

mittee to whom his case was referred have | County Court. fore not entitled to his seat. There was readings. no necessity of delaying the matter any By Mr. Estes: A bill to incorporate equate to complete it. The burthens of

Senator from Northampton as to the report | distillation of grain. had signed the report. There was a doubt at 12 o'clock. had settling this matter finally. Senators pone the matter. tion was decided. Some persons are so thought a reference might at least be almuch in love with the Howard amendment lowed. which they deserve. Let us not act hasti- definitely, when, ly and do no man injustice.

stood the true meaning of the motion to Carried. not come to a direct vote upon it, in order 113, authorizing the county of Cumberland railroad schemes in the State, and there solidated the two bills into the one just thereby increasing the debt of the State passed its several readings.

and did not intend to do him injustice. The Senate agreed to postpone until the 17th of December.

University Railroad Co. | This bill pro- tee, said : vides that the Company shall have power ternal Improvements.

cents on the pound.

tion was adopted. vote by which the bill to sell the State's in-Companies, &c., was rejected on yesterplace on the calendar, after considerable was laid on the table. discussion.

CALENDAR.

The bill to be entitled an "act amenda- motion to reconsider would prevail.

neither did he believe that the building of a careful consideration.

credit of the State.

After some debate, Mr. I. withdrew, by vor of railroads as much as any member 11 o'clock. on the floor ; but, baving New Jersey in On motion of Mr. Dixon, the House then his eye, he was opposed to giving to any one Company such powers as to establish

Mr. Robbins said his great desire was that the money which had been appropribegun until these roads were completed. Mr. Love offered to amend the 9th sec- Corporations. tion as follows : " Provided further, that

section as follows: "Provided, that the gister to do so.) Mr. Long said that, as this bill did not State shall be entitled to a pro rata vote upon her stock according to the representation of individual stock in the meeting." Considerable discussion ensued. Messrs. Carolina Railroad Company, and acts Robbins and Osborne opposed the amend- amendatory thereof." ment, and Messrs. Welker and Barrow sup-

ported it. Mr. Sweet moved to strike out the fifth to wit : and, in order to give the Senate time to section as a substitute for the amendment of Mr. Barrow, which was adopted after built until the main Road to Duck Town ter, Lindsay, Love, Martindale, Moore, of Yancey, considerable discussion—Messrs. Robbins and the branch to Paint Rock shall be and Osborne in opposition, and Messrs. completed;" which was adopted. Sweet, Welker and Brogden urging its

Mr. Robbins offered an amendment to stricken out, and the proviso offered by the ninth section : "And no other branch Mr. Barrow, rejected on yesterday, was shall be begun or built, until the main track reconsidered. and the branch road to Paint Rock shall be completed."

Pending its discussion, the Senate ad-

ourned until to-morrow at 10 o'clock. HOUSE OF REPRESENTATIVES

Wednesday, Dec. 9, 1868. PETITIONS, &c. Mr. French presented a memorial from

Mr. French said, in presenting the me- original Charter. Mr. Sweet said he was a railroad man, morial, that it should make no difference

REPORT OF COMMITTEES. vorably upon by the committee) asking the State.

Mr. Justice, of Rutherford, advocated then adopted. the adoption of the resolution, and it was The question recurring on the passage

By Mr. Hodgin: A resolution requestconsideration until the 21st of December. ing our Senators and Representatives in Mr. Etheridge moved to amend the mo- heretofore existed, renewed and reopened. thereof:

adopted. Mr. Barrow opposed postponement any By Mr. Pou: A bill to authorize the \$3,000,000. It is useless, Mr. President. longer. He held his seat in the Senate Commissioners of Johnston county to levy to enter into an argument against the inpledged to support the Constitution of the a special tax, not to exceed 20 cents upon crease of the indebtedness. The Western gation or Committee as it may think proper, to United States, and here is a Senator hold- the \$100 value, to pay for a bridge built division of this road, to which this bill reing a seat on this floor, of which the com- across Neuse River, by order of the late lates, has a capital stock of \$6,000,000, and

reported that they believe him to be bann- On motion of Mr. Pou, the rules were yet has a single spade been stuck in the ed by the Howard amendment, and there- suspended and the bill passed its several ground. Why ask for an additional ap- two on the part of the Senate, to confer with the

ferred. Mr. Lindsay said he differed with the By Mr. Gunter: A bill to prohibit the their grievous burthens; and, even if we

whether the Senator whose case was under Mr. Seymour said that measures like this consideration was banned, and he did not had come up repeatedly last session, and had understood that it was necessary to lution authorizing the Public Treasurer to see the necessity for rushing this matter each time were defeated by an increased procure the appropriation, in order to put pay to H. J. Menninger, Secretary of through. He hoped that it would be post- majority. If the matter was brought up, the entire line under contract, and, with State, \$600 for hire of special clerks, was poned until the 4th of January, or until a a long discussion would ensue. To save that view, he thought the bill should pass. taken up. lecision from the Supreme Court could be time, he would move to indefinitely post-

that they are not disposed to give these At the request of Mr. Bowman, Mr. Sey- road. It appeared to him as bad policy, grave questions that thorough examination mour withdrew his motion to postpone in- and placed the State in such a position

Mr. Bowman moved to refer to the Com- the road. A. H. Galloway, colored, said he under- mittee on Propositions and Grievances .postpone this question. The real object | On motion of J. S. Leary, (colored.) the offered by the Senators from Craven and for \$320 for one, for services during the was to postpone it from time to time, and rules were suspended, and House bill No. Guilford. This work is ahead of all the last six months. The committee had con-

to gain votes for another project. He was and town of Fayetteville to issue bonds for should be enough money appropriated at read. opposed to postponing it any longer, and their indebtedness, was taken up and thereby increasing the debt of the State passed its several readings.

I description once to complete it. To appropriate only a sufficient amount to complete one section laid before the Committee on Salaries and by continually bringing this matter up. - The Chair announced the following gen- at a time, the section will be worn out be- Fees against the payment of this demand.

ed with, he would let the "cat out of the Messrs. Estes, Gatling, Graham, Bowman the great resources of the rich mountain them to the House. Mr. Cook said he should have called the The Speaker then administered the fol- State that has been denied, for years, the test had been laid before a committee, to Marshall gentleman to order, but he did not cut him. lowing oath to each of the gentlemen, who privilege of intercourse with the outer whom the matter had not been referred.

he desired more light on the subject. If Speaker's request, to the Clerk's desk : the population of the entire State. He Finance Committee ; whether properly or he was compelled to vote as he now under. "You, and each of you, sincerely swear thought the appropriation would be well not, that was a matter for the House to Pursuivant. The President stated that he had been so rewith pleasure to Senators on both sides of the senators of the se the seate of the Senator. He had become the resolution constituting you members it would be a source of revenue. [His de- ferred, he, as Chairman of that committee, favorably impressed with the Senator, al. of a Joint Committee of Investigation, scription of the rich country through disliked to hear of a measure they had rethough he differed with him politically, without fear, favor, affection, reward or which this road must pass was graphic and ported favorably upon being protested tree and H S Lee, of Lenoir, have been the hope of reward : So help you God."

presenting each of them with a copy of his remarks in full.] By Mr. Rich: A bill to incorporate the the joint resolutions raising the Commit-

tran mitting a resolution petitioning Con- this investigation, on the part of the House my town into that rich mountain country to the Committee on Claims. Resolved by the General Assembly of the State gres to reduce the tax on tobacco to 10 is now entrusted to your care, it is done in which the Senator from Mecklenburg so Mr. Sinclair opposed any further refer- burnt his homestead and household goods

tion, and J. S. Leary (colored) hoped the see it done.

for all railroad projects when he could do and carried, and, on motion of Mr. French, the security that they will not put it in party spirit" being manifested—charging, mond county.

second Monday in January next. Mr. Welker said he did not like to be On motion of Mr. Seymour, the House these appropriations the road will be ours? did not intend to submit to any such thing. placed in a wrong position. He was in fa- then adjourned until to-morrow morning About six private capitalists have sub- He intended, as a Representative of the

SENATE. THURSDSAY, Dec. 10, 1868.

By Mr. Bellamy : A bill authorizing the this bill. ated to complete the main trunk and the Commissioners of the Town of Tarboro' to branch to Paint Rock would be used in grant the right of way through said town that way, and that no other branch would be to the Williamston & Tarboro' Railroad Company. Refered to the Committee on

On motion of Mr. Barrow, the rules were no other branch shall be built until the suspended, and the bill providing for the main trunk is completed to its Western Registration of Voters in special cases was that, in proportion that a country is built employ special clerks; and secondly, that terminus," which was lost, and the motion taken up and passed its several readings. up, the better able it becomes to pay what (This bill provides that all persons, who it owes. I have never known it to be the to strike out the ninch section was lost have registered heretofore, are entitled to case, in my life, that the contractors of any Mr. Barrow moved to amend the fifth vote, and enables those who failed to re- road have pocketed the appropriations

UNFINISHED BUSINESS. Bill to be entitled "an act amendatory of an act to incorporate the Western North

The question being on the amendment offered by Mr. Robbins to the 9th Section.

"Provided, That no branch shall be On motion of Mr. Moore, of Carteret, the vote, by which the fifth section was

The question recurring on Mr. Barrow's amendment, to wit : "Provided that the State shall be entitled to a pro rata vote

upon her stock, according to the representation of individual stock in the meeting." Mr. Osborne said that the effect of this amendment would be to increase the powers of the State. He was perfectly willing January 15th. that the State should retain so much conappropriation of \$1,000,000 was asked for certain merchants of Wilmington, remon trol as was provided for in the original ter, on motion of Mr. Bellamy, the Senit would pass, and, as there is nothing de-strating against the passage of the bill (in- Charter, but this proposition would give ate adjourned until to-morrow, 11 o'clock. sired but simply a privilege to build the troduced by Mr. French) in relation to the her the entire control of the Road, which

> Mr. Barrow said he had no desire to abridge the rights of individual stockholders, but he thought his amendment would settle the disputes which he understood On motion of Mr. Vestal, the rules were were chronic between said stockholders suspended, and his resolution (reported fa- and those representing the interest of the

pass without debate, and he signified his Senators and Representatives from this Mr. Osborne effered an amendment to sold, with name of purchasers, &c. Lies State, in Congress, to use their influence the amendment, to wit : " Provided, That over to have the United States law in regard to the State shall be represented in all the distilleries so altered or modified as to ex- stockholders' meetings, as is now provided tions, which lie over : empt small distilleries from the special tax, for in the original Charter ;"-which was

> of the bill, it passed by the following vote: Ayes 32, Nays 8.

Bill No. 2, amendatory of an act to in-A. H. Galloway, colored, moved to lay Congress to use their influence to have all corporate the Western North Carolina rapid growth, development and prosperity of the motion on the table; which was lost, the postoffices and mail routes, which Railroad Company, and acts amendatory both States; and believing, also, that a compar-

edness of the State to the extent of about it is yet in its swaddling clothes; not as propriation? This stock may be found adlonger and he should vote against the pro- Castle Hayne Vineyard Company. Re- taxation were already onerous upon the people, and he could not vote to add to lature of Tennessee for their action. were as rich as Crosus, this additional ap- were suspended, and his resolution, directof the committee. Said committee was Mr. Bowman moved to print the bill and propriation should not be granted, until it ing the Secretary of State to report in

quired.

Mr. Welker said if he understood the matter correctly, he was opposed to that for how long a time these special clerks could not vote intelligently until this ques- Mr. Stilley objected to the motion. He clause which authorizes the stockholders to were hired. borrow \$2,000,000, and giving those who loan the money a mortgage on the entire the present time. that she might lose her entire interest in

the belief that you will conduct it faithful- eloquently described, but can we do it? It ence. will not do for us to stay here and build Mr. Smith, of Martin, did not care par- gone to work-rebuilt and now gives em-On motion of A. H. Galloway, colored, be rules were suspended and the resolu. House bill No. 79, (introduced by Mr. air castles, when our poor people are to pay ticularly what committee reported on it; ployment to many poor and worthy people. French.) to better enable the Commission- the piper. Canthey do it? If this tax of 8 per all he wished to know was whether it was This is the way to build up the country the provisions of section 13, article 7, of then it is unconstitutional, and if it is saf- support; if wrong, he would vote against terest in railroad, navigation and turnpike the Constitution, passed its third reading. ficient, it will raise \$400,000, which is it, if the roof of the Capitol fell. Mr. French moved to reconsider the vote greater than the annual tax for the entire day, was reconsidered, and it was allowed of yesterday, by which the bill to incorpo State heretofore. Are we ready to increas discussed on its third reading. to pass its second reading and take its rate the North Carolina Dental Association this tax? It is more than our peop. bear, and I do not desire to see the people ence.

Again, \$2,000,000 are to be borrowed Mr. Estes: Yes, sir; not only before a Craven, who on March 21st, 1867, when a tory of the act to incorporate the Western Mr. Ellis was as much in favor of eleva- from certain parties, and they bave a mort- called meeting, but before a majority of candidate for the State Senate, received North Carolina Railroad Company, and ting the profession and of protecting the gage on the entire road. There is more in the Committee. 9 (which gives the incorporators the right nopoly. It gave too much power, &c. It glance. We ought not to risk it. I never to his knowledge, been ever discussed be- guishes the present colored votes from the to make and discontinue branches of said compelled any one, though he might have heard of a road before that required so fore the committee. been practicing for years, to come into the much money to begin-\$7,000,000, and the Mr. Estes : Some five or six members Mr. Lassiter opposed the amendment.— Association, or to be excluded from prac- ground not broken, and this fund is in the have never seen fit to attend the meetings He had had some experience in railroads, tice. He, however, had no objection to hands of whom? We do not know. There of the committee. and had become convinced that their con- having the vote reconsidered, and then is no provision in the Charter requiring Mr. Welch said he had observed a disstruction never impoverished a State, postponed, in order to have time to give it the private stockholders to pay in a cent— position on the part of some in this House, until the State has paid in all it has sub- every time a Conservative member opened

and fled to another country. The only

State. On motion of Mr. Cook the previous

third reading, as follows: AYES.—Messrs. Beasley, Beeman, Bellamy, Burns, Blythe, Cook, Davis, Eaves, Etheridge, Eppes, colored, Galloway, colored, Hayes, Har-rington, Hyman, colored, Jones, of Wake, Lassi-Stephens and Wynne-28.

NAYS .- Messrs. Barrow, Barnes, Brogden, Graham, Long, Melchor, Moore, of Carteret, Purdie, Robbins, Shoffner, Sweet and Welker—12. Mr. Moore, of Carteret, moved to recon-

sider the vote. Mr. Etheridge moved to lay the motion on the table, which prevailed. The Senate branch of the committee on

Bribery came forward and were sworn in, viz : Messrs. Sweet, Robbins and Forkner. Mr. Shoffner moved to postpone the consideration of the eligibility of Mr. Oates, Senator elect from the 16th District, until

Pending the consideration of the mat-

HOUSE OF REPRESENTATIVES. THURSDAY, Dec. 10, 1868.

BILLS AND RESOLUTIONS. By Mr. Sinclair: A resolution directing the Secretary of State to report forthwith to this House the exact number of the volumes of the Code of Civil Procedure, the cost of printing, how many have been

By Mr. Malone: The following resolu-

WHEREAS, It is known to this General Assemrejected, and Mr. Barrow's amendment was bly that our sister State of Tennessee has in process of construction several important lines of railroads leading into Western North Carolina, which are intended to connect with such roads in passing appropriations this State as will best subserve the interests of this General Assembly that the appropriate connections and final completion of these several railroad enterprises will contribute largely to the ison of opinions and a concert of action between the two States, is necessary to insure the final success of these excellent and stupendous projects of improvement;

Therefore Resolved, 'the Senate concurring) that this General Assembly suggest to and cordially invites the Legislature of Tennessee, now in session, to send to the City of Raleigh such deleconfer with a like Committee of this General Assembly, in reference to these various contemplated railroad enterprises. Resolved, That a Committee be appointed,

consisting of five on the part of the House, and Assembly. Resolved. That a copy of these proceedings be sent to the Speakers of both Houses of the Legis-On motion of Mr. Sinclair, the rules

composed of eight. Only four of them make it the special order for Friday next, is ascertained what amount is actually re- reference to the Code of Civil Procedure, was adopted. Mr. Lassiter said he would state that he On motion of Mr. Laslin, the joint reso-

> J. S. Leary, (colored,) wanted to know Mr. Laflin replied from July last up to

Mr. Justice, of Rutherford, thought there were fees attached to this kind of work that would pay for the work. Mr. Estes said that there had been two Mr. Osborne said he intended to vote for | bills before the Committee, (Finance) - one the bill, notwithstanding the objections asking for \$330 for two clerks, and another

There were some Railroad bills on foot; he tlemen as the Committee of Investigation fore another is completed. Besides, the The reasons of this protest were of a private

understood the game, and, if he was fool. in relation to the "Black-Mail" affair : sooner the road is completed, the sooner nature, and he did not feel disposed to give regions will come down it—a section of the Mr. Estes said he did not see why a pro-He was in favor of postponement because had come forward, in accordance with the world-a section that can sustain double This matter had been committed to the eloquent, and the Reporter regrets his in- against by another committee, and the appointed Grand Custodians. The oath being taken, the Speaker, in ability to do Mr. Osborne justice by giving benefit of such protest not given to the

Mr. Robbins said that he felt, to-day, the Mr. Welch said this was a very unusual responsibility of being a Senator. He had way of doing business. The law, he "I have prepared for each of you a cer- tried to keep silent on this question, but thought, had already provided pay for the Laurel Hill, Richmond county, N. C. Col. to construct a road from any point on the tified copy of the resolutions, raising the his conscience would not let him. He de- clerical work in the Secretary of State's Malloy makes a fine article of thread North Carolina Road, between Durham's Joint Committee of which you are mem- sired to see this road built; he had kind office. But, let the matter be as it might, which, we are pleased to learn, sells very and Hillsboro', to the University of the bers. You will be governed by its provis- friends who were interested in it, and he did not feel disposed to vote for this rapidly in the surrounding country. State.] Referred to the committee on In- ions, the Constitution, and by parliament- thought the road ought to be built at once. appropriation until he understood it better. ary law applicable to Committees of this I agree with them. It would be a good and, with due deference to the Finance vet, but expects to make cloth also after he A message was received from the House character. I will say, further, that since this road which runs from Committee, he would like to see it referred gets under way. He deserves much praise

On motion of Mr. Jones, of Wake, the ers of New Hanover county to carry out cent is not sufficient to pay the interest, right or wrong. If right, it would have his and restore what was lost. Mr. Vest thought the matter had better

> Mr. Malone supported the motion to re- crushed and beggared, in order to build Mr. Smith, of Martin, wanted to know consider. Mr. Foster also favored the mo- this road, no matter how much I desire to if the matter had been before a called meeting of the Finance Committee.

acts amendatory thereof," was taken up. people from quacks, as any man. But he that suggestion from the Sena or from Mr. Smith: A member of the committee votes cast in this State up to that time. Mr. Welker moved to strike out section was opposed to this bill. It created a mo- Guilford than Senators may see at a has just told me that the matter had not, The term "freedmen," of course distin-

so without destroying or impairing the the bill was then postponed until the their pockets and go to Europe? Where as it were, upon them that they were the is the security that, after we have made all one eternal source of dissension. Now, he scribed stock and have not paid in a cent, the people, to raise his voice whenever he and are continually asking us for money. I | thought their interests demanded it : and. warn you Senators, in the name of the most especially, would be protest against people of North Carolina, to be careful how and denounce, in unmeasured terms, this you exercise such powers. I want the road | reckless and sinful waste of the money of as much as any one, but I cannot vote for a people ruined already by the desolation of a long war, and who were now being Mr. Lassiter expressed his gratification | fast being driven into pauperism by having at the eloquent remarks of the Senator | their affairs thrown into the hands of men from Meckleaburg, in support of this bill. | whose incapacity is only excelled by their He had taken the right view. So far as the | wickedness. He opposed this appropriaquestion of taxation was concerned it ap- tion and would never cast his vote for it, peared that Senators who were opposing until he should be clearly convinced, first, his measure had ignored the fact entirely | that the Secretary of State had a right to the amount charged was fair and reason-

Mr. Estes said he did not care particularly about the resolution, but if any reflections were made upon a committee of spring-board that we are to rise from must | which he had the honor to be chairman, be in the Internal Improvements of the he would resent them, let them come from

what quarter they would. Mr. Mendenhall said he understood that question was called, and the bill passed its the gentleman (Mr. Walton) who claimed 108 days' pay, was an employe of the Freed-men's Bureau. He thought one salary

ought to suffice him. Mr. Estes: Not if he has energy and enterprise to command two. He (Mr. Walton) had been in the habit of coming to the Secretary of State's office in the afternoon, after office hours in the Bureau, and working very late! He works harder than

Mr. Mendenball and gets less pay for it. Mr. Durham said, that last session the House had refused to pass a bill to allow the Secretary of State an additional clerk, and he was not going to vote for the precedent of allowing officers to bring in large bills for the State to pay, incurred without any authority whatever.

Mr. Estes said that at the close of last session, the House was willing to allow the Secretary another Clerk, but there was no quorum in the Senate It was well understood that the Secretary would bring in a bill to meet the expenses incurred on account of employing the additional clerical

Mr. Durham replied that for 70 years the work of this office had been carried on without any clerk at all. It was only at the close of the war that a clerk, after a hard contest, was allowed. He did not see or know how the work of the office had been so much increased that three addi tional clerks had to be employed for the last six months. Now he wanted gentlemen who favored this resolution to toe the mark. Let them frame and pass a bill giving the Secretary of State additional clerical force, so that the people generally passing appropriations. Mr. Ingram favored the motion to re-

After some debate, Mr. Stilly said there had been a statement made to the Committee on Salaries and Fees, that another person claimed to be entitled to the pay instead of Mr. Walton, and his claim would be rendered to this body. This information which he now gave to the House led him to make his first statement in regard to the matter.

this discussion. Though he believed the charge to be unfounded, yet he would move to recommit to the finance commit-J. S. Leary, colored, rose to a point of order, stating that the question properly

Mr. Estes said if the gentleman had

spoken out at first, it would have stopped

recurred on his motion, made in the early part of the debate, to refer to the committee on Salaries and Fees. The Chair sustained the point. Pending the further discussion of the

matter the House, on motion of J. H. Harris, of Wake, colored, adjourned.

STATE NEWS. Masonic.-The officers of the Grand Lodge of North Carolina, for the ensuing year, were installed on Wednesday evening by Past Grand Master Watson. The

Robt B Vance, of Buncombe. Grand Master. Dr Ellis Malone, of Franklin, Deputy Grand Master. Joseph B Batchelor, of Raleigh, Senior

following are the officers:

Grand Warden.

Grand Deacon.

Samuel H Rountree, of Lenoir, Junior Grand Warden. Williams E Anderson, of Raleigh, Grand Donald W Bain, of Raleigh, Grand Sec-

Rev T H Pritchard, D D, of Raleigh Grand Chaplain. Frederick C Roberts, of New Berne, Se nior Grand Deacon. Alexander S Heide, of Raleigh, Junior

Fenton G Foster, of Wake, Grand Sword Bearer. Thomas L Wilson, of Chatham, Grand

William H Malone, of Caldwell, Grand

R W Best, of Raleigh, Saml H Roun-MALLOY'S FACTORY .- We recently visited the factory of Col. Charles Malloy, near

Col. Malloy manufactures only thread for his enterprise. An invading army and almost impoverished him, but he has

Favetteville Eagle. It may be interesting for the Scalawags of 1880 to know that the first freedman's Mr. Downing opposed any other refer- vote polled in North Carolina was for an old line Democrat, a former slaveholder and an unmistakable Southerner. We refer to our friend, Major John Hughes, of the first and the only seven freedmen's

Rutherford Vindicator. MARRIED.

free negroes" of 1835.

In Rockingham, Richmond county, N. C., on the 11th November, by Rev. Andrew McMillan, JOHN W. COVINGTON, to Miss MOLLIE COLE,